

Sixth Appellate District

San Jose, California

MONDAY, FEBRUARY 24, 2003

H023375 PEOPLE v. ARRINGTON

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Wunderlich, J.)  
Filed February 24, 2003

H023519 PEOPLE V. RANGER INSURANCE COMPANY, et al.

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)  
Filed February 24, 2003

H024136 PEOPLE v. MARTINEZ

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Elia, J.)  
Filed February 24, 2003

H024158 PEOPLE v. LECHUGA

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)  
Filed February 24, 2003

H023575 PEOPLE v. VILLA

H024182 PEOPLE v. VILLA

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Premo, Acting P.J., Mihara, J.)  
Filed February 24, 2003

H023776 PEOPLE v. WATKINS

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)  
Filed February 24, 2003

TUESDAY, FEBRUARY 25, 2003

H023802 PEOPLE v. KIEL

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Rushing, P.J., Wunderlich, J.)  
Filed February 25, 2003

Sixth Appellate District

San Jose, California

Tuesday, February 25, 2003 (Continued)

IN THE MATTER OF THE DESTRUCTION OF COURT RECORDS

By the Court:

This court having been advised by the State Records Center that certain civil records preserved for a period longer than 10 years are eligible for destruction as provided by rule 55 of the California Rules of Court, and good cause appearing, it is hereby ordered that said civil records designated in Records Transfer Lists 32, 34, and 36 be scheduled for destruction.

Dated February 25, 2003 RUSHING, P.J.

H023933 PEOPLE v. NAMOWICZ

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Wunderlich, J.)  
Filed February 25, 2003

H024314 CHUNG v. YEW

By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: February 25, 2003  
\*Before Rushing, P.J., Premo, J. and Wunderlich, J.

WEDNESDAY, FEBRUARY 26, 2003

H024728 PEOPLE v. DRISCOLL

The judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Wunderlich, J.)  
Filed February 26, 2003

H024318 PEOPLE v. SMITH

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Wunderlich, J.)  
Filed February 26, 2003

H023812 PEOPLE v. SANCHEZ

The judgment is affirmed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Wunderlich, J.)  
Filed February 26, 2003

H022686 PEOPLE v. VARA

The judgment is reversed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)  
Filed February 26, 2003

Sixth Appellate District

San Jose, California

THURSDAY, FEBRUARY 27, 2003

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Bamattre-Manoukian, J.; Wunderlich, J.; and W. Magsaysay, Deputy Clerk.

H023092 PEOPLE v. BRACEY

Cause called and argued by David D. Martin appearing for Appellant and by Matthew D. Boyle, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H021684 PEOPLE v. TURNER

Cause called and argued by Tamara Holland appearing for Appellant and by Michael E. Banister, Deputy Attorney General, appearing for Respondent. Cause ordered submitted. Rushing, P.J. thereafter leaves the bench.

A new panel composed of Bamattre-Manoukian, Acting P.J., and Wunderlich, J., are present, the Court having previously announced that Mihara, J. is unavailable due to a health emergency. All counsel in the following cases waive the presence of Mihara, J. and stipulate that he may listen to the audio tape of the oral argument at a later time.

H023377 PEOPLE v. DABBAGH

Cause called and argued by Arthur Dudley appearing for Appellant and by Christopher J. Wei, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H023402 PEOPLE v. MENDOZA

Cause called and argued by Ozro Williams Childs appearing for Appellant and by Ann P. Wathen, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

H022992 PEOPLE v. CRANKE

Cause called and argued by Kyle Gee appearing for Appellant and by Amy Haddix, Deputy Attorney General, appearing for Respondent. Cause ordered submitted.

Sixth Appellate District

San Jose, California

Thursday, February 27, 2003 (continued)

H023597 LAI v. SCHWERIN

Cause called. No appearance on behalf of Appellant. Lance Burrow appearing for Respondent is present. Respondent submits the matter without argument. Cause ordered submitted. Court adjourns.

H023602 PEOPLE v. SANCHEZ

The judgment is affirmed. (not published)  
(Elia, J.; We concur: Rushing, P.J., Wunderlich, J.)  
Filed February 27, 2003

H023635 PEOPLE v. SANCHEZ

By the Court\*:

Appellant's petition for rehearing is denied.  
Filed: February 27, 2003  
\*Before Premo, J., Rushing, P.J. and Wunderlich, J.

H022684 PEOPLE v. CARRELL

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)  
Filed February 27, 2003

H023729 PEOPLE v. TROY S.

The dispositional order is reversed. The matter is remanded for the juvenile court to strike the true finding as to the Penal Code section 71 allegation in Count 2 of the petition filed under section 602 of the Welfare and Institutions Code and to hold a new dispositional hearing at which the court should, as part of its new dispositional order, recalculate the maximum time of confinement. (not published)  
(Mihara, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)  
Filed February 27, 2003

Sixth Appellate District

San Jose, California

Thursday, February 27, 2003 (continued)

H024349 PEOPLE v. STAPLETON

The restitution order is reversed, and the matter is remanded for a new restitution hearing. (not published)  
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Wunderlich, J.)

Filed February 27, 2003

FRIDAY, FEBRUARY 28, 2003

H023941 PEOPLE v. RODRIGUEZ

The judgment is reversed. (not published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed February 28, 2003

H023883 COURT HOUSE PLAZA COMPANY v. GOODENOUGH, et al.

The judgment is affirmed. (published)  
(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed February 28, 2003

H024555 In re KALUBE B.; DFCS v. TAMMY B.

The order appealed from is affirmed. (not published)  
(Wunderlich, J.; We concur: Rushing, P.J., Premo, J.)

Filed February 28, 2003

H024807 PEOPLE v. TYRRELL T.

The order appealed from is affirmed. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed February 28, 2003

H023606 PEOPLE v. CHRISTOPHER C.

The disposition order is affirmed. (not published)  
(Wunderlich, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed February 28, 2003

H023299 PEOPLE v. CAMPBELL

The judgment is affirmed. (published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)

Filed February 28, 2003

Sixth Appellate District

San Jose, California

Friday, February 28, 2003 (continued)

H023455 PEOPLE v. HERNANDEZ, et al.

The judgment as to both defendants Martinez and Hernandez is affirmed. (not published)

(Rushing, P.J.; We concur: Premo, J., Wunderlich, J.)

Filed February 28, 2003